

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE GUARDIAN NEWS, INC., and SELIM ZHERKA,

Plaintiffs,

-against-

PHILIP AMICONE, individually, EDMUND  
HARTNETT, individually, JOHN A. LISZEWSKI,  
individually, CITY OF YONKERS, New York, PAUL  
WOOD, individually, POLICE OFFICERS JOHN  
DOES #1 TO #20, individually, and SANITATION  
WORKERS #1 to #20,

Defendants.

ECF Case

07 Civ. 7078 (CLB)

**DEFENDANTS'**  
**EXHIBIT LIST**

Pursuant to this Court's rules, Defendants, by their attorneys, *Thacher Proffitt & Wood, LLP* submit the following Exhibit List for the permanent injunction hearing of this matter<sup>1</sup>:

Defendants' Exhibit	Exhibit Date	Description
A.	5/24/07	Facsimile from Raymond P. Schmidt, Esq. to Jonathan Lovett, Esq. and attachments
B.	7/11/07	City of Yonkers Complaint/Information ("Summons") issued to Cesar Castillo together with police memo book entry
C.	7/11/07	Summons issued to Michael Guevara
D.	7/12/07	Summons issued to Gene A. Smith together with Police Department Incident Report and voucher
E.	7/31/07	Summons issued to Nicole Pacheco
F.	7/31/07	Summons issued to Richard Guzman
G.	8/1/07	Summons issued to Maribel Ayala
H.	8/1/07	Summons issued to Selim Zherka
I.	8/1/07	Summons issued to Dominica O'Neill

<sup>1</sup> Defendants reserve the right to amend this list as discovery is still ongoing.

Defendants' Exhibit	Exhibit Date	Description
J.	8/2/07	Police Department Incident Report
K.	8/6/07	Multiple Summonses together with police memo book entry
L.	8/9/07	Summonses issued to Marmer Kllapija and Cristian Salazar together with Police Department Incident Report
M.	7/16/07 – 9/14/07	Multiple emails between Selim Zherka and Carol Bengis
N.	8/2/07	Letter from Richard Blassberg to John A. Liszewski
O.	8/6/07	DPW Daily Work Sheet
P.	8/7/07	Letter from Richard Blassberg to John A. Liszewski
Q.	8/10/07	Letter from Richard Blassberg to John A. Liszewski
R.	8/11/07	DPW Operation Division Radio Control Log
S.	8/11/07	DPW Service Request
T.	8/12/07	DPW Operation Division Radio Control Log
U.	8/13/07	Email from Steve Sansone to Robert Greco
V.	8/21/07	Memorandum from First Deputy Chief Charles Gardner to All Commands
W.	8/21/07	Letter from Kevin J. Plunkett, Esq. to Jonathan Lovett, Esq.
X.	8/23/07	Facsimile cover page to Commissioner Liszewski from D. Mason
Y.	8/23/07	DPW Receipt
Z.	8/24/07	City Inventory of Westchester Guardian Boxes
AA.	Undated	Photograph
BB.	Undated	Photograph

Defendants' Exhibit	Exhibit Date	Description
CC.	8/23/07	Outdoor Inventory of Westchester Guardian Boxes on 8/23/07
DD.	10/1/07	Email from Sal DiMaggio to Charles Gardner
EE.	Various	Outline of total number of Westchester Guardian Newspaper Boxes together with receipts of purchase
FF.	Various	Invoices from Poughkeepsie Journal to Westchester Guardian
GG.	n/a	Chapter 33 of the Yonkers City Code
HH.	n/a	Chapter 43 of the Yonkers City Code
II.	n/a	Chapter 100 of the Yonkers City Code
JJ.	n/a	Chapter 103 of the Yonkers City Code
KK.	5/19/98	Various short memoranda
LL.	9/21/06	Newspaper article
MM.	10/5/06	Newspaper article
NN.	7/17/07	Police Department Incident Report and voucher
OO.	9/27/07	Police Department Incident Report
PP.	Undated	Multiple Photographs

Dated: White Plains, New York  
November 12, 2007

THACHER PROFFITT & WOOD LLP

By: 

Kevin J. Plunkett

Darius P. Chafizadeh

50 Main Street

White Plains, New York 10606

Telephone: (914) 421-4100

*Attorneys for Defendants*